

No. PD-0790-17

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
12/5/2017
DEANA WILLIAMSON, CLERK

KEITHRICK THOMAS
Appellant/Petitioner,
V.

STATE OF TEXAS
Appellee/Respondent.

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

TO THE HONORABLE SUPREME COURT OF TEXAS:

Comes Now Appellant/Petitioner and files this his First Unopposed Motion for Extension of Time to File Appellant's Brief. In support of this motion, Appellant/Petitioner shows the following:

1. Appellant/Petitioner was convicted of the felony offense of Possession of a Controlled Substance Penalty Group 1 1-4 Grams on February 23, 2016. Appellant/Petitioner was assessed a sentence of two (2) years imprisonment on March 14, 2016. Notice of appeal was given on March 14, 2016. On October 27, 2016, the 14th Court Appeals set the appellate case for submission on December 7, 2016. The case was submitted on December 7, 2016. The 14th Court of Appeals - Houston Division rendered its opinion and judgment in Keithrick Thomas, Appellant

vs. The State of Texas, Appellee, No. 14-16-00230-CR, on June 8, 2017.

On September 6, 2017, Appellant filed his Petition for Discretionary Review.

On November 22, 2017, this Honorable Court granted Appellant's Petition for Discretionary Review. Appellant's brief is currently due on December 22, 2017.

2. Appellant/Petitioner requests an extension of time of thirty (30) days from the date the brief is currently due, to January 22, 2018. This is Appellant/Petitioner's first request for an extension of time to file Appellant's brief in this case. No prior extensions have been granted, extending the time to file Appellant/Petitioner's brief in this case.

3. Appellant/Petitioner relies on the following facts as a reasonable explanation for the requested extension of time: Appellant/Petitioner's counsel, in addition to preparing a brief in this case, must also devote time to additional matters, including but not limited to:

- a. December 13, 2017 deadline to file brief in Southern District of Texas - Houston Division.
- b. December 11th trial setting in the 165th Judicial District Court of Harris County, Texas.
- c. December 15, 2017 deadline to file brief in the 9th Court of Appeals.

4. On December 5, 2017, the undersigned conferred with opposing counsel, who indicated there was no opposition to this request.

WHEREFORE PREMISES CONSIDERED, Appellant/Petitioner prays that this Court grant this motion for extension of time, extending the time to file Appellant/Petitioner's Brief to January 22, 2018.

Respectfully submitted,

/s/ N Westbrooks

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CERTIFICATE OF CONFERENCE

As required by Tex. R. App. P. 10.1(a)(5), I certify that I have conferred with the State Prosecuting Attorney who indicated that this motion is unopposed.

/s/ N Westbrooks

Nicolette Westbrooks

CERTIFICATE OF SERVICE

I certify that, December 5, 2017, I served a copy of this motion through the electronic filing manager on the following: State of Texas, by and the State Prosecuting Attorney's Office, 209 W. 14th Street, Austin, Texas 78701.

/s/ N Westbrooks
Nicolette Westbrooks